

### **REMARKS**

Claims 1, 4, 8 and 9 have been cancelled without traverse. Claims 6, 7, 12 and 14-25 have been withdrawn. Claims 2, 3, 5, 10 and 13 have been amended. Claims 2-3, 10-11 and 13 remain pending in this application. Applicant reserves the right to pursue the original claims in the present and future applications

Claim 10 stands objected to due to an informality. Claim 10 has been amended to address the concern raised by the Office Action. Accordingly, Applicant respectfully requests the objection be withdrawn.

Claims 1-5, 8-11 and 13 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0136121 to Salmonsens et al. ("Salmonsens"). The rejection is respectfully traversed.

Claims 1, 4, 8 and 9 have been cancelled. Claims 2, 3 and 5 have been amended to independent form. Claim 2 recites "in the step of interrupting, the predetermined amount of data is determined so that a time period required for completing recording of the predetermined amount of data is shorter than a time period over which a recording quality degrades due to a rise of a temperature of the laser." The Office Action refers to Salmonsens ¶38 as disclosing this feature. Salmonsens ¶38, however, relates to triggers that prompt a stop and reevaluation on the basis of a simple periodic timer or on the basis of a temperature sensor indicating that the temperature of the disk or the laser is above a threshold. Salmonsens does not disclose a trigger based on an amount of data, that is, a predetermined amount of data of an amount such that "a time period required for completing recording of the predetermined amount of data is shorter than a time period over which a recording quality degrades due to a rise of a temperature of the laser." As Salmonsens does not disclose a trigger based on a predetermined amount of data, claim 2 is allowable over Salmonsens.

Claim 3 recites "the predetermined amount of data is determined so that a length along a radial direction of the optical data recoding medium covered by the predetermined amount of data is shorter than a length over which a recording quality degrades due to a fluctuation of a sensitivity of a

recording layer of the optical data recoding medium.” The Office Action refers to Salmonsens ¶36 as disclosing this feature. Salmonsens ¶36, however, only mentions that the laser control logic 280 a stopping logic 320 which receives its impetus from triggers 350. Salmonsens goes on to describe potential triggers 350 in ¶37-45, but does not describe at any point a trigger based on a predetermined amount of data “shorter than a length over which a recording quality degrades due to a fluctuation of a sensitivity of a recording layer of the optical data recoding medium.” Accordingly, claim 3 is allowable over Salmonsens.

Claim 5 recites “correcting a recording power of the laser beam for a next recording operation in the optical data recording medium based on the measured recording state” and “in the step of correcting, a change of the recording power in each correction is restricted to be less than a predetermined value.” The Office Action refers to Salmonsens ¶54-55 as disclosing these features, however, those paragraphs only mention that the laser power can be adjusted. There is no description of the features of claim 5, that is, that the change of the recording power in each correction is restricted to be less than a predetermined value. Furthermore, in claim 5 the change of the recording power in each correction is determined by immediately preceding measurement results. If abnormal results due to defects in the recoding medium are found, the change of the recording power can be adjusted to reduce any influence. As a result, it is possible to prevent assigning an abnormal value to recording power and in turn prevent recording error. Since Salmonsens does not disclose, teach or suggest the above described features, claim 5 is allowable over Salmonsens.


Regarding claims 10 and 13, in a series of recited “seek operations” during the measurement of the recording quality, settings are implemented so that the “reading quality is an optimum.” Salmonsens does not disclose these features. The Office Action refers to Salmonsens ¶30, 32, 45 and FIG. 4 to disclose these features. None of these cites, however, mention setting reading quality to an optimum. Furthermore, according to claims 10 and 13, after the measurement of the recording quality, settings are implemented so that “recording quality is an optimum” as well. Neither is this disclosed, taught or suggested by Salmonsens. Accordingly, claims 10 and 13 are allowable over Salmonsens.

Claim 11 depends from claim 10 and is allowable over Salmonsens along with claim 10 and on its own merits. Accordingly, Applicant respectfully requests the rejection be withdrawn and the claims allowed.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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